

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 46320
Erik BURCKART et al. : Confirmation Number: 7945
Application No.: 10/789,573 : Group Art Unit: 2154
Filed: February 27, 2004 : Examiner: J. Chang
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For: SERVER-SIDE PROTOCOL CONFIGURATION OF ACCESSING CLIENTS

CONTINUATION OF APPLICANT INITIATED INTERVIEW REQUEST FORM

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following Remarks are submitted with the Applicant Initiated Interview Request Form (PTOL-413A) filed herewith.

Pursuant to M.P.E.P. § 502.03, authorization is given to the U.S. Patent and Trademark Office (hereinafter USPTO) to communicate with the undersigned by electronic mail¹ to confirm and finalize a date and time for an interview to be conducted with the Examiner at the offices of the USPTO. Applicants understand that a copy of these communications will be made of record in the application file.

¹ spaul@crgplaw.com

REMARKS

The Examiner objected to claims with regard to the claimed "[a] computer-readable storage device." 37 C.F.R. § 1.75(d)(1) requires that the claimed "find clear support or antecedent basis in the description so that the meaning of the terms may be ascertainable by reference to the description." Applicant submits that the term "computer-readable storage device" would have been readily ascertainable by one having skill in the art since this term is a well-known alternative to a "machine-readable storage device" or "computer-readable medium," which are all phrases used within "Beauregard" claims.

The Examiner rejected claims 1, 5, and 12 under 35 U.S.C. § 103 for obviousness based upon Mentze in view of Lund. The Examiner relied upon Lund to teach the claimed that the order of the listing is reversed. However, the passage cited by the Examiner refers to "the protocols stored in the list may be re-arranged according to a different order so that the current matching protocol is always stored as the first choice." This teaching, however, does not refer to reversing the order. Thus, Lund fails to teach the limitations for which the Examiner is relying upon Lund to teach. Therefore, even if one having ordinary skill in the art were realistically impelled to modify Mentze in view of Lund, the claimed invention would not result.